

STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION

IN THE MATTER OF

Ned's Convenience & Pizza
Abdoulah Y. Shehada, Permittee
and Backer
Permit #GB.12816
Docket No. 07-061

March 6, 2007

MEMORANDUM OF DECISION

This matter involves a grocery store beer permit issued to Ned's Convenience & Pizza, 660 Howard Avenue, New Haven, Connecticut. A formal administrative hearing was held before the Department of Consumer Protection on October 16, 2006, at which time Abdoulah Y. Shehada, Permittee and Backer, appeared.

The alleged violations arose from a special investigation conducted by the Department of Consumer Protection's Liquor Control Division. It is alleged that on or about December 10, 2005: (1) the Respondent sold or delivered alcoholic liquor to a minor in violation of Section 30-86, Connecticut General Statutes; (2) the respondent failed to maintain a supply of age statement forms in violation of Sec. 30-6-A27(d) of the Regulations of Connecticut State Agencies; and (3) the respondent failed to record his liquor permit with the New Haven Town Clerk in violation of Sec. 30-53 of the Connecticut General Statutes. The

Respondent denied Charge 1 and Charge 2 and admitted Charge 3, and the matter proceeded to a hearing.

The following facts are found based upon the evidence adduced at the hearing. On December 10, 2005, at approximately 3:34 p.m., Joseph A. Hann entered Ned's Convenience & Pizza. Mr. Hann's date of birth is February 2, 1987; he was 18 years old at the time and a minor. Mr. Hann purchased a 40 oz. Miller beer from the sales clerk, Gabriela Roman. When liquor control agents later entered the store to conduct a general inspection, Ms. Ramon was unable to provide the agents with age statement forms; also, it was learned that the liquor permit had not been recorded with the New Haven Town Clerk.

Based upon the substantial evidence adduced at the hearing and the Respondent's admission, we hereby find the Respondent in violation of Charges 1-3. The Liquor Control Act vests in the Commission a liberal discretionary power to determine factual matters with regard to liquor permits. Gulia v. Liquor Control Commission, 164 Conn. 537, 325 A.2d 455 (1973). Based upon the circumstances of this case, we hereby suspend the Respondent's grocery beer permit for a period of three days.

**DEPARTMENT OF CONSUMER PROTECTION
BY**

Elisa A. Nahas, Esq.
Presiding Officer

Nonparties:
John Suchy, Director, Liquor Control Division
Connecticut Beverage Journal, 2508 Whitney Ave., P.O. Box 185159, Hamden,
CT 06518
Connecticut State Library, 231 Capitol Avenue, Hartford, CT 06106

